

James Hogan, Chief
New Mexico Environment Department
Surface Water Quality Bureau
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, New Mexico 87502

Dear Mr. Hogan:

This is in response to the New Mexico Environment Department's (NMED) April 30, 2015, letter requesting a waiver to redirect a total of \$184,955 in FY2016 and \$214,540 in FY2017 of CWA Section 319(h) funding from the watershed project funds to the watershed-based planning (WBP) and administrative support funds. As you know the EPA's FY 2014 Nonpoint Source Program and Grant Guidelines, requires states to set aside at least 50% of the Section 319(h) funds specifically for watershed projects implementation and 50% for non- point source program funds.

Based on the information provided in the letter, EPA approves NMED's waiver request which shifts \$100,000 in Section 319 watershed project funds per year to new watershed based planning projects in FY 2016 and 2017. EPA is approving this request because watershed-based planning is a critical part of New Mexico's Nonpoint Source Management Program and without this waiver NMED would be unable to fund any new watershed planning projects during this award period.

In addition, EPA also approves NMED's request to move \$84,955 in Section 319 watershed project funds in FY2016, and \$114,540 in Section 319 watershed project funds in FY 2017, for administrative support of water quality improvement projects. These administrative support activities are included in Task 2.1 in the Surface Water Quality Bureau work plan. Likewise, we are also approving this request for a waiver as Section XII of the *Guidelines* states that a waiver may be considered if national 319 funding levels are substantially reduced and compliance with guidelines would result in substantially less environmental benefit than the state's proposed alternative use of the funds. NPS 319 funding for NMED has been reduced by approximately \$450,000 in the past three years.

EPA hopes that the waiver approval will lessen the impact on the state's ability to deliver environmental results and help to facilitate the successful completion of watershed projects. In addition, we hope that this waiver will assist NMED in adhering to the *Guidelines* to the greatest extent possible.

If you should have questions or concerns regarding this letter, please call Sharon Daugherty of my staff at (214) 665-2259. Thank you for your continued efforts to improve water quality in New Mexico.

Sincerely yours,

William K. Honker
Director, Water Quality Protection Division

cc: A. Franklin, NMED SWQB